



# **Sullivan County EMPLOYEE MANUAL**

**Submitted by**  
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**Prepared for**  
Employees of the County of Sullivan NH

**Approved by**  
Board of Commissioners  
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**EFFECTIVE DATE**  
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## **INTRODUCTION**

**All day, everyday, we make life better**

### **History**

Sullivan County was named after Brigadier General John Sullivan, of Revolutionary war fame, who defeated the British at the Battle of Fort William and Mary in Portsmouth Harbor and was also present with George Washington at Valley Forge, Pa. in the winter of 1777-1778. In 1827, the State of New Hampshire established five counties, with the remaining five created later, conferring on these locations the duties and responsibilities of providing services to maintain the general welfare of the population. These responsibilities include establishing a court and prison system to protect the citizenry and caring for the indigent and afflicted residents of the county as well as preserving and maintaining legal documents. These activities remain at the heart of Sullivan County's enterprises.

### **Message**

As an employer, Sullivan County strives for excellence in all its undertakings and encourages every employee to do the same. We are an organization that provides equal opportunity in all areas of employment. We strongly believe in the importance and value of each of our employees and encourage professional growth through personal responsibility and initiative. Through this commitment, Sullivan County endeavors to provide a cohesive and dynamic environment that enhances life for both the employee and those we serve. It is essential that every employee evaluate their activities and performance on an on-going basis to continually increase their personal competencies and value to the County. To these ends we have established rules of employment and interactions that will provide a rewarding and productive experience

Because of the diverse nature of the Sullivan County enterprises, specific rules germane to a particular segment of employment are further explained in appendices located at the end of the book.

## **EMPLOYEE MANUAL ARTICLES**

### **Article I Purpose**

1. The policies, procedures and benefits listed in this booklet are informational only and are not intended to constitute an express or implied contract of employment for any duration.
2. The policies and procedures in this booklet cannot be changed or amended by oral agreement. They can be changed only by written amendment signed by the County Board of Commissioners.
3. Sullivan County reserves the right to amend or revise, modify or eliminate any provision of the handbook without prior notice.

### **Article II Definitions**

1. **Administrator.** Nursing Home Administrator responsible for the operation of the Nursing Home.
2. **Collective Bargaining Agreement (CBA).** This is an agreement approved by AFSCME Council 93 Local 3438 and the County.
3. **Commissioners.** Chief administrative body for Sullivan County
4. **County Manager.** Acts as an agent for the Board of Commissioners and is responsible for the fiscal and administrative management of the County.
5. **Date of Hire.** The most recent date an individual is employed by the County.
6. **Date of Position.** The most recent date of employment in present job.
7. **Delegation.** Legislative body for Sullivan County
8. **Department Head.** Responsible for the management of a unit or department of Sullivan County.
9. **Director of Human Resources.** Develops and administers County policies.
10. **Earned Time.** Is defined as accrued hours of time paid to an individual as a benefit for time off such as vacation, excused absences or illnesses of minimal duration.
11. **Earned Sick Leave.** Is defined as accrued time on hours worked for the purpose of personal illness or injury.
12. **Elected Officials.** An individual holding an elected position (Registrar of Deeds, County Attorney, High Sheriff, County Treasurer)
13. **Employee.** Defined as an employee who is scheduled to work a specific amount of hours in a specific position.
14. **Grievance.** Defined as a written dispute, claim or complaint that is described in detail, filed and signed by the employee
15. **Newport Complex.** Is the Remington Woodhull County Complex, which includes the Commissioners' Office, County Treasurer,

Conservation District, County Attorney's Office, Registry of Deeds, Sheriffs' Office, UNH Cooperative Extension and Superior and Probate Courts.

16. **Resignation of Employment.** One who voluntarily leaves their position of service in which a signed letter of resignation is expected.
17. **Senior Management.** Individuals responsible for supervision of Department Heads, County Manager, Nursing Home Administrator, Superintendent of Corrections and Director of Human Resources.
18. **Superintendent of Corrections.** Individual responsible for the operation of the Department of Corrections.
19. **Supervisor.** Individual responsible for the day-to-day operation of a sub-unit within a department.
20. **Suspension.** Defined as the temporary absence, with or without pay, from the employee's place of duty for the purpose of investigating a discipline or in compliance with RSA 28-10-a
21. **Termination or Discharge.** Defined as the involuntary ending of employment at the employer's request
22. **Unity Complex.** Includes the Nursing Home, Human Resources Office, Human Services, Department of Corrections, County lands and buildings.

### **Article III Equal Employment Opportunity**

1. Sullivan County does not discriminate in hiring, placement, promotion, layoff, training, wages or other benefits on the basis of race, color, age, religion, gender, sexual orientation, national origin, marital status, pregnancy or physical or mental disabilities.
2. Sullivan County does not discriminate based upon military service or future military obligations.

### **Article IV Drug Free Work Place**

1. Sullivan County attempts to provide a drug free workplace for all employees. Employees who are under the influence of drugs or alcohol in the workplace create health and safety risks for themselves and for other employees. Therefore, Sullivan County seeks the cooperation and assistance of all employees, supervisory and non-supervisory, in meeting it's goal of eliminating drug and alcohol abuse in the workplace.
2. The use, sale, distribution and possession of alcohol and drugs are prohibited during working hours. Employees may not report to work, or be in uniform, or be present on County property, under the influence of drugs or alcohol. Any employee who violates this policy will be subject to discipline, up to and including termination. As a condition of

continued employment, employees who are convicted of drug related offenses, occurring on or off County premises, are required to notify their supervisor within five (5) days of such conviction.

3. In appropriate cases, an employee may be required to submit a plan of treatment as a condition of continued employment. In such cases the employee must authorize the release to Sullivan County of information confirming the employee's participation and successful completion of the treatment program. Failure to comply with any aspect of the treatment plan shall result in immediate termination of employment.

#### **Article V     Sexual Harassment**

1. Sullivan County prohibits and will not tolerate any form of sexual harassment in the workplace.
2. Sexual harassment is defined as unwelcome and uninitiated sexual advances, requests for sexual favors, verbal or physical conduct of sexual nature, jokes or any other display of written, or offensive pictorial material from the same or opposite sex that may contribute to an unfriendly or hostile environment.
3. Any employee who feels unlawfully harassed shall report promptly to their immediate supervisor, Department Head/Elected Official or the Human Resource Department.
4. Sullivan County will investigate every complaint immediately in a discreet manner and will disclose information only on a need to know basis.
5. Any employee who violates this policy will be subject to disciplinary action, which may include termination.
6. No employee will be subjected to any form of retaliation for good faith of reporting sexual harassment or participating in an investigation.

#### **Article VI     Employment Status**

1. **Pre-employment screening** - All employment offers made by Sullivan County are contingent on drug screening negative results, National Crime Information Center (NCIC) records check and pre-employment physical.
2. **Probation** - Every employee will serve a probationary period of one (1) year before permanent employment is offered. This probationary period may be altered by the CBA, if you are a union member.

## **Article VII Employee Classification**

1. **Probationary employee** - Defined as an "at will employee" in which employment may be terminated by either party, with or without cause.
2. **Temporary Employee** - Defined as appointed to a position or special task for a period not to exceed six (6) months. These employees will receive no benefits.
3. **Per Diem Employee** - Defined as one who is available to work at the discretion of the employer based on departmental needs.
4. **Full time employee** - Defined as one who works a minimum of 40 hours per week.
5. **Part time employee** - Defined as one who works less than 40 hours per week.

## **Article VIII Hours of Work**

1. The workweek begins on Sunday at 12:00 a.m. and ends at 11:59 p.m. on Saturday. Actual work schedules vary by department.
2. Every employee is expected to work his/her entire work schedule. Arriving late or leaving early is not permitted.
3. Exchanging of days off or any other alteration in a schedule is not permitted unless expressly authorized by his/her supervisor, department head or elected official.
4. An employee scheduled for more than five (5) consecutive hours of work will be entitled to one 15 minute paid break and one 30 minute paid meal break. Any employee working less than five (5) hours will be entitled to one 15 minute paid break. Supervisors will schedule all breaks.
5. In the event that an employee cannot report for duty he/she must call the supervisor or designated person each day he/she is out and provide specific reasons for their absence. If there is no communication within three (3) consecutive working days, that employee will be considered to have voluntarily resigned.
6. Employees are not permitted to be absent from work more than three (3) occasions within a six (6) month period and no more than six (6) occasions in a twelve (12) month period. Absences in excess of these standards will result in disciplinary action, which ultimately could include termination of employment.

## **Article IX Compensation**

1. Paychecks are issued on the Friday following the end of the pay period. In the event a payday falls on a holiday, paychecks will be issued at the discretion of the County.



2. Sullivan County will make the required payroll deductions for Federal Income Tax, Social Security and Medicare. Other voluntary deductions may only be made with the employee's written authorization through the Human Resource Department.
3. Employees of the Nursing Home and DOC working between the hours of 3:00 p.m. and 7:00 a.m. are eligible for a shift differential in addition to their base rate of pay.
4. Employees of the Nursing Home and DOC working between the hours of 11:00 p.m. Friday and 11:00 p.m. on Sunday are eligible for a weekend differential.
5. An employee attending meetings that are scheduled during non-work hours and are required by the County will be compensated for that time at their base rate of pay.
6. Non-exempt employees who work more than forty (40) hours in a week shall be paid at one and one half (1 1/2) times their regular rate of pay for those hours in excess of forty (40). The employee's supervisor must approve overtime work in advance. Working of unauthorized overtime may result in disciplinary action, which ultimately may include termination of employment.
7. Every position in Sullivan County is represented by a job description that in turn produces a point value translating into wages paid to employees. The position classification will be reviewed as needed and the wage scale will be reviewed annually.
8. Sullivan County Commissioners will exclusively determine wages and no salary will exceed the maximum amount designated by an employee's assigned pay grade.
9. Job descriptions are measures of compensation and are not intended to limit or restrict the authority of Sullivan County, or its designee, to direct or assign any work to employees, including employees working overtime.
10. A copy of individual job descriptions will be kept in the Human Resource Department as well as in employee's personnel records and are available for inspection.
11. Employees will be notified of any significant changes in responsibilities or grade.
12. All Sullivan County employees will receive a performance evaluation at least annually. Evaluations will be completed by the employee's immediate supervisor, reviewed with each employee identifying areas requiring improvement areas as well as areas where strengths are apparent and then forwarded to the Human Resource Department, where they will be kept in the employee's personnel file.

## **Article X      Health and Dental Insurance**

1. Upon completion of three (3) full months of satisfactory employment, employees working at least 32 hours are eligible for health and dental insurance with coverage to start the first day of the following month.
2. Sullivan County may change premiums and plans or companies without notice.
3. Sullivan County offers single coverage in which the County pays \_\_\_\_\_% of the premium. (See HR Dept. for rates)
4. Sullivan County offers two person coverage in which the County pays \_\_\_\_\_% of the difference between single coverage and two person coverage. . (See HR Dept. for rates)
5. Sullivan County offers family coverage in which the County pays \_\_\_\_\_% of the difference between single coverage and family coverage. . (See HR Dept. for rates)
6. If an employee leaves employment, voluntarily or involuntarily, that employee has the right to maintain coverage for 18 months through the provisions of the Consolidated Omnibus Reconciliation Act (COBRA).

## **Article XI      Life Insurance**

1. Upon completion of three (3) full months of satisfactory employment, employees working at least 32 hours are eligible for life insurance with coverage to start the first day of the following month. Employees may increase the amount of coverage by contacting the Human Resource Department.
2. Employees must complete their own application. Beneficiaries can be changed at any time by completing a new application, available through the Human Resources Department.
3. Life insurance coverage terminates once the employee reaches 70 years of age.

## **Article XII      New Hampshire Retirement System**

1. Participation in the New Hampshire Retirement System is mandatory for all employees who work thirty-five (35) hours or more per week.
2. Contributions will begin on the date of hire, or eligibility.
3. Contributions are made through payroll deductions.
4. Additional contributions can be made to the Retirement System to offset reduction for early service retirement or to pre-fund an additional annuity, which when combined with the regular annuity, will equal up to 50% of Average Final Compensation (AFC).

### **Article XIII Workman's Compensation**

1. All employees of Sullivan County are covered by Worker's Compensation Insurance. Worker's Compensation provides salary continuation and other benefits for employees who suffer work related injuries or illness. Any injury sustained during working hours, no matter how minor, must immediately be reported to the employee's supervisor. Failure to promptly report injuries may affect the employee's eligibility for benefits and may lead to disciplinary action, which ultimately may include termination.
2. For a period of eighteen (18) months from the date of injury, any full time employee who is unable to work due to a work related injury is entitled to reinstatement of his/her former position, provided the position has not been eliminated and the employee is able to perform the duties of the position with reasonable accommodations. If the position has been eliminated, the employee shall be reinstated to any other available position, for which the employee is qualified and capable of performing, with reasonable accommodation. The right to reinstatement may be terminated prior to eighteen (18) months from the date of the injury upon medical determination that the employee cannot return to the former position or if the employee accepts employment with another employer.
3. Temporary light duty work may be available for employees who sustain work related injuries.
4. While an employee is on light duty, he/she will be compensated at 60% of their base rate of pay, not to drop below minimum wage, for those hours worked under light duty.
5. While on light duty the employee will provide the employer with detailed doctors reports specifying the nature of the injury or illness, the dates the employee will be absent due to the injury and specific limitations or work restrictions. (75 WCA-1) form must be used.
6. While on light duty the employee will provide the employer with doctor's notes for all subsequent appointments noting any changes in condition or work restrictions.
7. The employee must progress towards a successful recovery from the injury within a twelve (12) week period. Light duty will not be provided after twelve (12) weeks unless there is demonstrated and predictable progression to full recovery. Employees not progressing in recovery after twelve (12) week period will not be permitted to work until such time as they are able to perform all duties of the position.

Light duty programs will consist of duties assigned by department heads in conjunction with the Human Resource Dept. during the employees regularly scheduled shift when these alternatives are available. The County reserves the right to assign employees on different shifts and different locations to accommodate employee's physical restrictions.

## **Article XIV Holidays**

1. Sullivan County recognizes the following paid holidays:
  - A. Unity Complex- New Year's Day, Presidents' Day, Martin Luther King Day, Memorial Day, Fourth of July, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day and Christmas Day.
  - B. Newport Complex- observes the same holidays as the New Hampshire Supreme Court.
2. In order to qualify for a paid holiday, an employee must have been on the payroll for ninety days (90) and have worked the last scheduled day before the holiday and the first scheduled day after the holiday regardless of working the holiday. For those employees that have been on the payroll less than ninety days (90) they must work on the holiday as scheduled in order to receive holiday pay.
3. The holiday begins at 11:00 pm on the eve of the holiday and concludes at 11: pm on the night of the holiday.
4. Compensation for the holiday will be calculated up to eight (8) hours at the employee's base rate of pay.
5. Those employees working on Thanksgiving, Christmas or New Year's will receive an extra four (4) hours of pay at their base rate of pay.
6. Part time employees who are not eligible must work the holiday in order to receive compensation for that day.

## **Article XV Earned Time**

1. Upon completion of three (3) months of satisfactory employment, full and part time employees will be eligible to use Earned Time (ET) for vacations, excused absences, illnesses of minimal duration or in conjunction with Family and Medical Leave Act (FMLA).
2. Employees begin accumulating ET time from the first day of employment.
3. ET hours accrue based upon hours paid for bargaining employees and up to a maximum of forty-hours (40) per week for non-bargaining employees. No employee may borrow from time not accrued.
4. Employees may not accrue time exceeding the maximum amount permitted in one (1) year
5. Employees who are at their maximum can request some hours in their ET account to be transferred into their Extended Sick Leave (ESL)

account, provided a minimum of twenty-four (24) hours remain in their ET account.

6. Requests for the use of ET must be submitted in writing to and approved by the employee's supervisor prior to the requested date.
7. ET use will be calculated at fifteen (15) minutes for non-exempt employees. ET will be calculated at a minimum of 4 hours for exempt employees.
8. Approving ET requests is at the discretion of Sullivan County.
9. Sullivan County may cancel an employee's ET for emergency reasons.
10. Employees are permitted to exchange a maximum of forty (40) hours of earned time for forty (40) hours of pay, calculated at base rate, on the first payroll in December annually. A minimum of twenty four (24) hours must remain in the ET account.
11. For accrual rates see Sullivan County Employee Manual, Exhibit I, page 29 and 30.

#### **Article XVI Extended Sick Leave**

1. Upon completion of three (3) months of satisfactory employment, full and part time employees will be eligible to use accrued Extended Sick Leave (ESL) for personal illness or accidents.
2. ESL will not be allowed until three (3) days of ET are used consecutively per incident accompanied by proper medical documentation.
3. ESL is accrued at a rate of 0.0231 per hour paid up to forty (40) hours per week for full and part time employees.
4. ESL hours begin accruing from the first day of employment.
5. The maximum amount of accrued ESL is four hundred (400) hours. Once the maximum amount is reached, no additional time will be accrued.
6. Unused ESL hours have no cash value and are not transferable or redeemable at the end of employment.
7. Unless an employee is on approved FMLA leave, employment will be terminated if the employee is unable to return to work after ESL has been exhausted.
8. Any employee that has used ESL will be required to present medical certification that he/she is able to return to work.

## **Article XVII Family and Medical Leave Act**

1. In accordance with the Family and Medical Leave Act of 1993 (FMLA), employees who have worked for the County for twelve (12) months and have worked at least one thousand two hundred and fifty (1250) hours during that time are eligible for up to twelve (12) weeks of leave per year. Sullivan County calculates the year by counting backwards from the date the leave begins. Leave is available for any of the following reasons:
  - i. For the birth, adoption, or foster placement of a child:
  - ii. To care for a spouse, child or parent with a serious health condition:
  - iii. For a serious health condition that prevents the employee from performing the functions of his/her job.
2. Employees must provide the County with thirty (30) days advance notice of the need for FMLA leave when the need is foreseeable. If the need for leave is not foreseeable, the employee must provide as much notice as is practical. If notice is not provided, the County may deny leave until thirty (30) days has been provided. Forms from the Human Resource Department must be submitted to the Director for approval.
3. While an employee is on FMLA leave, the County will continue to pay it's portion of the employee's health and dental insurance premiums. If the employee chooses not to return to work for reasons other than a continued serious health condition, the employee will be required to reimburse the County the entire amount that it has paid for insurance premiums on the employee's behalf.
4. The employee's share of the premiums shall be paid through payroll deduction if the leave is with pay. If the leave is unpaid, the employee must send his/her premium payments to the Payroll Dept. Payments must be received no later than the twenty-fifth (25<sup>th</sup>) of each month. If the premium is overdue, the County may discontinue the employee's coverage on the first of the following month. If the County chooses to continue the coverage, it is entitled to recover such payments from the employee upon return to work
5. ET and ESL time does not accrue during unpaid leave of absence.
6. During any approved leave, the employee must make periodic reports to the Human Resource Office concerning the employee's health status and intent to return to work. At least thirty (30) days prior to the expiration of the leave, the employee must contact the Human Resource Office to confirm his/her expected date of return.
7. Employees are required to use accrued ET and ESL as part of their twelve (12) weeks of FMLA in the following order:
  - i. An employee who is on leave due to his/her own serious health condition or disability associated with the birth of a child will be required to use twenty four (24) hours of ET time and then all of their ESL time. When all ESL is

expended and there is still time left on the leave, ET time will be used until no more is available. The remainder of the time taken will be unpaid.

- ii. An employee who is on leave for a qualifying event other than a personal injury or illness will be required to expend all accrued ET time and then all ESL time. If there is any time remaining in the twelve (12) weeks it will be unpaid.
8. If an employee requests to use paid leave for a purpose that qualifies under FMLA, the County will count that time as FMLA for determining future eligibility.
9. An employee who uses FMLA leave will resume the same or equivalent position upon return to work. An employee who fails to return to work at the end of their leave will be considered to have voluntarily resigned.
10. The County will request medical certification for all FMLA leaves. Failure to provide medical information when requested will result in disqualification. Medical Certification forms are available through the Human Resource Office.
11. Following a leave due to the employee's own medical condition, the County will require certification that the employee is able to return to work. Failure to provide such certification when requested will result in the County not allowing the employee to return to work.

#### **Article XVIII Bereavement Leave**

1. Upon completion of six (6) months of continuous employment, a regular full-time employee who works a regularly scheduled workweek of forty (40) hours is entitled to Bereavement Leave, which is permitted to enable an employee to take care of personal arrangements and problems accompanying the death of an immediate member of his/her family. Absences from work with pay up to three (3) scheduled working days; will be granted, but limited to the employee's family member listed below, or other relative living in the employee's immediate household.
2. Bereavement leave must be used in seven (7) days of the date of death. If burial is to take place at a later date, the employee may save Bereavement Leave to use at that time.
3. A regular full-time employee is entitled to one (1) day for a close family member other than those listed below.
4. A regular part-time employee is entitled to two (2) days for family members listed below.
5. Notification and documentation must be provided to the Supervisor and the Human Resource Department before time is paid.
6. For the purpose of this policy, "family member" includes:

mother, father, husband, wife, brother, sister, children, mother-in-law, father-in-law, grandparent, grandchildren, stepmother, stepfather, or stepchildren.

#### **Article XIX Military Leave**

1. Any regular full or part time employee who is also a member of the United States Military Reserve shall be entitled to fifteen (15) days off per year for the purpose of attending training or other military duties.
2. Employees must make their department supervisor and the Human Resource Department aware of these obligations accompanied by supporting documentation as soon as possible, but no later than thirty (30) days prior to the date of departure.
3. Sullivan County will continue to compensate an employee on military leave for up to fifteen (15) days through regular salary. Therefore, any compensation received from the military during this time must be given to the County through the Human Resource Department.

#### **Article XX Jury Duty**

1. All full and part time employees who are summoned for Jury Duty or subpoenaed to appear as a witness shall be entitled to that time off. The employee will be paid for this time provided they return any compensation for jury duty to the County through the Human Resource Department.
2. Employees must make their supervisor and the Human Resource Department aware of these obligations as soon as possible, but no later than thirty (30) days prior to the date of commitment.



## **WORK RULE ARTICLES**

### **Article XXI Safety**

1. Every employee of Sullivan County is required to follow all safety regulations to prevent personal injury or injuries to other employees or guests.
2. When safety equipment is issued it must be used in a manner consistent with it's design intention or established rules.
3. Employees must report unsafe conditions or actions to the supervisor or Safety Committee.
4. Employees who are injured on the job, no matter how minor, must report to their immediate supervisor who may require the employee to receive additional medical treatment.
5. The incident must also be reported to the Human Resource Department by completing an Incident Report and Department of Labor First Report of Injury form within twenty-four (24) hours of the incident.
6. No medical bills will be accepted unless authorized by the Human Resource Department.

### **Article XXII Conflict of Interest**

It is a violation of County Policy for any employee to use his/her position of employment for personal gain. Personal gain is defined as receiving personal benefits or benefits for family or friends from companies or organizations doing business with the County, which would not be generally available to the general public.

### **Article XXIII Computer, E-Mail and the Internet**

1. The computer hardware system, software and e-mail system are owned by Sullivan County and all messages or data stored, sent or received using the systems, are the property of the County.
2. Employee usage of the system is a revocable privilege provided for the purpose of facilitating performance of the employee's work and is not the private property of any employee.
3. For purposes of this policy, an employee's home computer, lap top, or other equipment will be deemed to be part of Sullivan County's system to the extent that it uses the County's software or e-mail system, or is used for the performance of work for the County. Reasonable efforts will be made to preserve an employee's privacy expectations with regard to personal hardware, but it cannot be guaranteed.

4. The computer systems, including Internet access and e-mail systems, are to be used for business purposes only.
5. The e-mail system may not be used for non-job-related purposes, including, but not limited to, use for commercial ventures, religious or political causes or outside organizations.
6. The transmission of any discriminatory, harassing or offensive material in any form, including electronic media, is prohibited. Material considered to be offensive and prohibited includes any message which contains sexual implications, racial slurs, gender specific comments, or any other comment that offensively addresses age, gender, sexual orientation, religion or political belief, national origin, or disability or other characteristics which are protected from discrimination by state or federal law.
7. The e-mail system shall not be used to upload or download any copyrighted materials, trade secrets, proprietary financial information, or similar materials without proper authorization.
8. Employees should not have any expectations of personal privacy and Sullivan County reserves the right to read, review, intercept, access or disclose any and all information on an employee's computer system or messages created, received or sent without prior notice. Any employee who uses the system for any permitted activity shall advise the recipient in regards to the County's monitoring policy.

#### **Article XXIV Standards of Conduct**

1. All Sullivan County employees are expected to understand and abide by County standards and policies. The following is a list of conducts which will result in disciplinary action up to and including termination of employment.
  - A. Sexual harassment or any other unlawful harassment.
  - B. Violations of any health or safety rules or activities that may indirectly or directly create an unsafe or unsecured environment.
  - C. Falsely accusing through implication, misleading information or any activity that discredits character or reputation.
  - D. Destruction or theft of the property of others: residents, inmates, coworkers or the County.
  - E. Stealing, destruction, distribution, misuse or unauthorized access to restricted property, information or records.
  - F. Personal use of telephones, computers or other County property.
  - G. Falsification or misrepresentation of records or reports.

- H. Failure to ensure address, phone number and employment statuses are current and accurate.
- I. Conviction of a crime.
- J. Verbal or physical acts of violence against any person in the workplace.
- K. Unexcused absences or falsely reporting reasons for absence.
- L. Use or possession of illegal drugs or controlled substance while on duty or on County property or reporting to work under the influence of illegal drugs or controlled substance.
- M. Possession of firearms on County property.
- N. Drinking or possession of alcoholic beverages while on duty or on County property or reporting to work under the influence of alcohol.
- O. Unsatisfactory job performance, incompetence or failure to satisfactorily complete required training.
- P. Negligence in the performance of duties.
- Q. Leaving work without permission.
- R. Sleeping while on duty.
- S. Loss or suspension of appropriate licenses or certification.

This list is not all-inclusive and incidents may arise which are not covered by these rules but may lead to disciplinary action, which ultimately may include termination. In addition to these general rules, each department has adopted specific rules for which employees are expected to know and follow having the same impetus as rules previously mentioned.

## **Article XXV Discipline**

1. When an employee's performance or personal conduct is improper, certain guidelines will be followed to ensure fair and consistent treatment.
2. The employee's supervisor may discuss any unacceptable situation with the employee, identifying causes, outlining corrective actions and establishing a time-frame in which the employee must correct the problem.
3. Sullivan County will use the following disciplinary steps, except in cases where it is determined that it is appropriate to impose more serious discipline or immediate termination.
  - Step 1.** Written warning
  - Step 2.** Second written warning
  - Step 3.** Suspension (3-10 days)
  - Step 4.** Discharge requiring Commissioner's approval.

**Article XXVI Grievance Procedure  
For Non-Termination or Suspension of Ten (10) Days or Less**

1. A grievance is defined as a written dispute, claim or complaint that is described in detail, filed and signed by the employee. Grievances are limited to matters of interpretation or application of specific provisions of the Sullivan County Employee Policy, and must specify articles and sections, which have allegedly been violated, the date of the alleged violation, all witnesses to the same and the relief requested.
2. Any employee who has received disciplinary action and has reason to believe the actions are unwarranted may initiate an appeal process within ten (10) days of notification.
3. First appeal must be made in writing specifying reasons for the appeal to the employee's immediate supervisor or issuing authority. The Supervisor or issuing authority shall respond in writing within ten (10) days of the appeal.
4. If a satisfactory resolution cannot be reached in the first step, the employee may appeal to the Department Head within ten (10) days of receipt of the decision of step one. The Department Head shall issue a written decision within ten (10) days of receipt of the step two appeal.
5. A final appeal may be made to the County Manager within ten (10) days of receipt of the step two decision.
6. The County Manager will respond within ten (10) working days by scheduling a hearing as soon as possible, but no later than thirty (30) days.
7. The decision of the County Manager is final.

**Article XXVII      Resignation, Termination and Suspension**

1. In the event of a voluntary resignation, an employee is expected to provide two (2) weeks notice. Discretion will be exercised in emergency situations.
2. Sullivan County reserves the right to terminate employment of any employee without notice and without cause during the probationary period.
3. After one (1) year of successful employment no employee shall be terminated, suspended or removed from employment except for dishonesty, intoxication, immoral behavior, or other misconduct, neglect of duty, negligence, willful insubordination, lack of cooperation, inefficiency, incapacity or unfitness to perform duties, or for the good of the institution.
4. An employee may be suspended at any time, without prior notice, for a period not exceeding ten (10) days.

5. After one (1) year of employment termination shall require authorization by the Sullivan County Commissioners. The employee shall be given written notice of termination, setting forth grounds and reasons, signed by a majority of the Commissioners, not less than ten (10) days and no more than thirty (30) days prior to the effective date of termination.

#### **Article XXVIII      Appeal of Termination or Suspension of Ten (10) Days or More**

In accordance with RSA:28:10-a any employee who has completed their probationary period and who has been suspended or terminated may request a public hearing before the Sullivan County Personnel Committee. Such requests must be submitted in writing within thirty (30) days of receipt of the notice of termination or within ten (10) days of the first day of suspension. The decision of the Personnel Committee may be appealed to the New Hampshire Supreme Court in accordance with RSA 541.

#### **Article XXIX      Termination Pay**

1. In the event that an employee voluntarily resigns his/her position with the County and provides the employer with at least two (2) weeks notice of their departure, that employee will be entitled to payment of all accrued ET.
2. If employment is terminated involuntarily by the County, that employee will not be entitled to payment of accrued ET.

#### **Article XXX      Smoking Policy**

In accordance with the guidelines of Title XII/ 155:66, all smoking or use of tobacco products is prohibited in all buildings, facilities, vehicles and on the grounds of Sullivan County at all times. The grounds of the County are to include any roads or pathways that may bisect the property or lands used for other County purposes.

It is the responsibility of all employees of the County to observe the provisions of these guidelines and inform guests and visitors of these restrictions. It is further required that all supervisors, elected officials, administrators and department heads ensure compliance with the established guidelines within the scope of authority and areas of responsibility.

Complaints about non-compliance with this policy and the quality of ambient and indoor air shall be made in writing to the Director of Human Resources. Complaints may be anonymous, but must include specific information such as location, description of the problem, and names of persons involved if known. All

reasonable efforts will be made to protect the environmental quality of the work place.

Violations of this policy are subject to disciplinary action up to and including discharge.

#### **Article XXXI            Standards of Conduct Inmate Labor**

Inmates of the Sullivan County Department of Correction working for the County in any capacity shall be treated with the same respect and courtesies afforded other full and part-time employees.

1. County employees who have had previous associations or relations with work release inmates are required to notify their supervisor and the Human Resource Dept. immediately.
2. Profane, demeaning or indecent language will not be used to describe or reference any inmate. Harassment of any type is not be permitted
3. Abuse or any type of corporal punishment including exercise is expressly prohibited.
4. Employees shall not engage in preferential treatment of inmates or groups of inmates.
5. County employees shall not accept any gifts, favors or services tangible or intangible from inmates.
6. County employees shall not provide any gifts, favors or services tangible or intangible for inmates
7. County employees shall not enter into any business relationship with any inmate.
8. Inmate labor shall not be used for personal gain and work details outside customary guidelines must be approved by the Superintendent of the D.O.C. prior to the start of the project.
9. County employees shall not procure, conceal, convey, or conspire to procure, conceal or convey, contraband to or from inmates or lands appurtenant to the D.O.C. (contraband is defined as anything not specifically authorized by the D.O.C.)
10. County employees are to report to the Director of Operations any incidents where inmates:
  - Become injured or ill
  - Where work habits are poor or unacceptable
  - When they have committed departmental misconduct or other violation
  - Are in the possession of contraband
  - Have unauthorized visitors or are found in an unauthorized area
  - Are disrespectful to staff or other inmates
  - Leave work area without permission

## **Article XXXII      Employment of Relatives (nepotism)**

Sullivan County and its employees are committed to the principle of objective, fair and equitable treatment of all employees. Accordingly, it is crucial that County activities be conducted in an atmosphere that is free of actual or apparent conflicts of interest that compromise this principle. For the purpose of protecting both the integrity and objectivity of its employees Sullivan County has adopted the following policy concerning nepotism.

No person shall be employed or appointed to any position by Sullivan County or transferred to a department under the supervision, either directly or indirectly, of a relative or member of their household who has or may have a direct effect on the individual's progress, performance or welfare. Relatives include parents and children, husband, wife, brother, sister, son-in-law, daughter-in-law, step relatives in the same relationship, grandparents, aunt, uncle, niece, nephew, cousin, and domestic partners.

## **Article XXXIII      Volunteers**

Volunteers provide an invaluable service to the County and are defined as those people who perform hours of service for a public agency for civic, charitable or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered. Volunteers offer their services freely and without pressure or coercion and must not be otherwise employed by the same public agency to perform the same type of services as those they have volunteered to perform.

1. The County classifies volunteer services into four categories:
  - a. Those who volunteer services on a regular basis and have close physical contact to or with those they have agreed to serve.
  - b. Those who volunteer their services on a limited basis and have little or no contact to with those they have agreed to serve.
  - c. Community service workers who are required to perform services as a condition of future benefit.
  - d. Non-paid board members.
2. Volunteers and Community Service workers are expected to abide by all County policies and regulations that govern their actions, including but not limited to ethical behavior, confidentiality and drug and alcohol use.
3. Volunteers are screened and selected by Dept. heads in conjunction with the H.R. Dept. through the application process to include references, criminal background checks and citizenship where applicable.

4. No Volunteer or Community Service worker will perform any duties for the County until they have completed orientation to SCNH policy and have been trained adequately by appropriate staff member.
5. In the event that a Volunteer or Community Service worker is unable to work their scheduled shift they must call the volunteer coordinator to report their absence and reschedule time if necessary.
6. All Volunteers and Community Service workers will be required to display county identification badges while on site.
7. Volunteers and Community Service workers are responsible for maintaining an image to the public that conveys professionalism, competence and neatness This is to include all aspects of personal grooming, hygiene and attire.


#### **Article XXII Conflict of Interest**

It is a violation of County Policy for any employee to use his/her position of employment for personal gain. Personal gain is defined as receiving personal benefits or benefits for family or friends from the County, vendors or organizations that have affiliations with the County.

#### **Article XXXIV Disclosure of Confidential Information**


It is further considered a violation of County Policy to disclose or otherwise communicate confidential information to any agency, organization or individual, knowledge that is not available to the population as public information. Any requests for information that is not designated as public information must be approved by Dept heads or elected officials prior to dissemination.

Sullivan County Commissioners

  
Donald S. Clarke, Chair

Date:

Dec. 5, 2006

  
Bennie C. Nelson, Vice Chair

  
Ethel Jarvis, Clerk



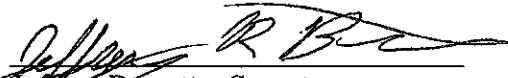
## ARTICLE XXXV Telecommunication

Sullivan County prohibits the use of cell phones, text messages, pagers, cameras or any other electronic device not issued or authorized by the employer to be used or accessed during working hours. Cell phones may be used only in commons areas during the employees regularly scheduled breaks and mealtime. The County further prohibits the use of authorized cell phones while operating motor vehicles for County purposes.

### Sullivan County Commissioners

  
Ethel Jarvis, Chair

  
Bennie C. Nelson, Vice Chair

  
Jeffrey Barrette, Secretary

**Article XXXVI      Informational Request From the Public and Elected Officials**

Requests for public records/information has been set forth in the following New Hampshire State Right-To-Know Laws, set forth in RSA Chapter 91-A:

5. Whenever access to public records is requested, the agency must make a diligent effort to produce the record. An agency is not required to create a record where one does not exist. If public information is requested in a format, which does not exist, the agency is not required to create that format. *Brent v. Paquette*, 132 N.H. 415 (1989).

6. If the requested records are not immediately available, the agency is required to, within five (5) business days, make the record available, deny the request in writing with reasons, or furnish a written acknowledgement of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. RSA 91-A:4,IV. Arranging a mutually convenient time for the inspection of public documents is consistent with the purposes of the Right-to-Know Law. *Brent v. Pacquette*, 132 N.H. 415 (1989)

As it pertains to Sullivan County, all requests for information must be made in writing to the County Manager, Ed Gil de Rubio, 14 Main Street, Newport NH 03773; e-mail: [manager@sullivancountynh.gov](mailto:manager@sullivancountynh.gov) , or faxed to (603) 863-9314. The request will be date stamped with the Commissioners Office date stamp machine the day it arrives or is dropped off with the document placed in the County Manager's In Box. Attempts will be made to respond prior to the 5 day Right To Know Law rule.

If it is necessary to use a photocopying machine (See Right to Know Law III.F.3), unless decided otherwise by a quorum of a public body, a fee will be charged to cover the expense of copies; at a current rate of .10 a copy, with the first 10 pages free.

Sullivan County Board of Commissioners:

Date approved:      Tuesday, September 18, 2007

Ethel Jarvis, Chair

Bennie Nelson  
Bennie Nelson, Vice Chair

Jeffrey R. Barrette  
Jeffrey Barrette, Clerk

## Article XXXVII Meeting Postings/Notices

The Clerk of the Board of Commissioners and the Delegation through the County Manager and Commissioners Office staff should handle Postings/Notices for meetings of the Commissioners and the Delegation. The Clerk of the legislative body, is required through the Right-to-Know Law as follows:

1. **Regular Notice** – a. Notice of the time and place of any meeting (including nonpublic session) must be posted in two appropriate places 24 hours (excluding Sundays and legal holidays) in advance of the meeting. These should be places where people are likely to see them, such as the location where the checklists or town warrants are posted, or the agency's office lobby or front door and the State House or Town Hall bulletin board; b. Notice of the time and place may be printed in a newspaper of general circulation in the city or town at least 24 hours before the meeting, excluding Sundays and holidays; c. If the body decides to in into nonpublic session during an open meeting, the notice for the open meeting will suffice, but if both public and nonpublic sessions are planned in advance, the notice should so state and generally identify the topics to be addressed in each session. Including a brief outline of the agenda for each session is recommended.
2. **Emergency Notice Procedure** – a. This method of notice may be utilized if the chairman or presiding officer of the public body decides that immediate and undelayed action is imperative; b. Notice shall be made by whatever means are available to inform the public about the meeting. For example, notice may be given over the radio, the body may post notice, and/or may notify by telephone person known to be interested in the subject matter of the meeting. The nature of the emergency will dictate the type of notice, which can be given. In any event, a diligent effort must be made to provide some sort of notice; c. In the event an emergency meeting is required in an adjudicative proceeding (See RSA 541-A:1,1), notice must be provided to all parties unless the body possesses authority to issue an ex parte order in the case at hand; and d. the minutes of the meeting must clearly spell out the need for the emergency meeting.
3. **Notice of Legislative Meetings** – Notice of committee meetings shall be made in accordance with the Rules of the House of Representative and the Rules of the Senate, as appropriate

The Delegation is further mandated with notices through NH State RSA's as follows:

- ☐ **Per RSA 24:9-d Notice** – The clerk of the convention shall mail to each member of the convention a notice stating the time, place and purpose of the further meetings at least 7 days before the day of the meeting and shall cause to be published a like notice at least 7 days before the day of the meeting in a newspaper of general circulation in the county. Mailing such notice is not required during any session of the general court, if the notice is printed for 2 legislative days in the journal of the House of Representatives.

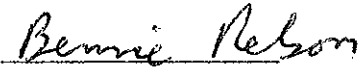
When such notices are brought to the attention of the Board of Commissioners Staff or the County Manager, they will review the notice and identify to the Clerk if the notice meets or does not meeting requirements. When notices meet RSA requirements, they will be posted by staff to the following:

1. a paper copy to the Commissioners Office, Sullivan County Health Care and Department of Corrections bulletin boards
2. a scan will be made of the notice and placed on the "County Calendar" page of the County's website: [www.sullivancountynh.gov](http://www.sullivancountynh.gov)
3. an email advising the Town/City, Press, County Department Heads/Elected Officials, Secretary/Administrative Staff and Delegation will be sent to each of the distribution list advising of the link to the posting of the website.

Sullivan County Board of Commissioners

Date approved: Tuesday, September 18, 2007

  
Ethel Jarvis, Chair

  
Bennie Nelson, Vice Chair

  
Jeffrey Barrette, Clerk

## **Appendix A**

### **Nursing Home General Rules**

1. The Sullivan County Nursing Home occasionally employs inmates from the Department of Corrections to perform specific duties. To insure a maximum amount of security is provided during these periods, all employees are required to be cognizant of inmate's behavior and proximity. Any activities that are inappropriate should be immediately reported to the supervisor. In addition, personal relationships with inmates are prohibited, as well as providing or receiving any material to or from an inmate. If during the course of employment you become aware that you are acquainted with an inmate you are to notify the Human Resource Department immediately.
2. All Nursing home personnel while on the premises must wear identification badges issued or approved by the County.
3. Employees must abide by the Dress Code of the Department. Employees who are improperly attired or groomed will not be permitted to work.

### **Administration**

1. Good personal hygiene is required.
2. Hair should be clean and properly groomed.
3. Beards and moustaches must be neatly trimmed.
4. Fingernails must be clean and trimmed at all times.
5. Jewelry, if worn, shall be kept to a minimum.
6. T-shirts with logos or pictures, or crop tops, are not permitted.
7. Jeans and leggings are not permitted.
8. Business attire is encouraged.
9. Sensible footwear is required.

### **Direct Care Nursing Staff**

1. Call-in for sickness must be made to the staffing office or the supervisor 2 hours before the beginning of the assigned shift, for ET to be paid
2. Nurses and LNA's are to report to assigned work areas 10 minutes before the start of their shift.
3. Full and part-time nursing staff must work 26 weekends per year scheduled by Sullivan County staffing.
4. Full and part-time direct care nursing staff must work every other major holiday (Thanksgiving, Christmas Day and New Year's Day) as scheduled by the County.

### Dress Code

1. Good personal grooming and hygiene is required.
2. Hair styles, if worn long, must be neatly combed and away from employee's face.
3. Beards and mustaches must be neatly trimmed.
4. Fingernails must be clean and trimmed at all times.

### Therapy Staff

Call-in for illness must be made to the supervisor, 2 hours prior to the beginning of an assigned shift.

### Dress Code

1. Good personal grooming and hygiene is required.
2. Hairstyles, if worn long, must be neatly combed and away from employee's face.
3. Beards and moustaches must be neatly trimmed.
4. Fingernails must be clean and trimmed at all times.
5. Jewelry, if worn, shall be kept to a minimum.
6. Sleeveless tops, tee shirts with logos or pictures, crop tops or tank tops are not permitted.
7. Jeans and leggings are not permitted.
8. White shoes with rubber soles or athletic footwear are acceptable. Sandals and open toed shoes are not permitted.
9. During summer months, shorts or culottes are permitted if they are not higher than 1.5" above the knee.
10. Scrubs that are clean and pressed may be worn.

### Housekeeping & Laundry

Call-in for illness must be made to the supervisor at least 2 hours prior to the beginning of assigned shift for ET to be paid.

### Dress Code

1. Good personal grooming and hygiene is required.
2. Hair styles, if worn long, must be neatly combed and away from employee's face.
3. Beards and moustaches must be neatly trimmed.
4. Fingernails must be clean and trimmed at all times.
5. Jewelry, if worn, shall be kept to a minimum.
6. Sleeveless tops, tee shirts with logos or pictures, crop tops or tank tops are not permitted.
7. Leggings are not permitted.
8. White shoes with rubber soles or athletic footwear are acceptable. Sandals and open toed shoes are not permitted.

### **Maintenance**

Call-in for illness must be made to the supervisor at least 2 hours prior to the beginning of an assigned shift for ET to be paid.

#### **Dress Code**

1. Good personal grooming and hygiene is required. Hair should be clean and neatly arranged.
2. Beards and moustaches must be neatly trimmed.
3. Jewelry if worn shall be kept to a minimum.
4. Clothing - every employee is required to keep his/her uniform/clothes in good repair, clean and free from offensive odor or unsightly stains. Employees must clean uniforms prior to return.
5. Substantial footwear providing support and protection must be worn.

### **Department Property**

All equipment issued by the department shall remain the property of the department and be maintained in good condition. Any lost or damaged materials shall be reported to the Director of Environmental Services or supervisor immediately. Upon separation of employment all materials shall be returned to the department or reimbursement made for the cost of such items.

### **Dietary Staff**

Call-in for illness must be made to the supervisor at least 2 hours prior to the beginning of an assigned shift for ET to be paid.

#### **Dress Code**

1. Good personal grooming and hygiene is required.
2. Hairstyles, if worn long, must be neatly combed and away from employee's face.
3. Beards and mustaches must be neatly trimmed.
4. Fingernails must be clean and trimmed at all times.
5. Jewelry if worn, shall be kept to a minimum. Dangling necklaces or earrings and rings with raised settings are not permitted.
6. Sleeveless tops, tee shirts with logos or pictures, crop tops or tank tops are not permitted.
7. Leggings are not permitted.
8. White shoes with rubber soles or athletic footwear are acceptable. Sandals and open toed shoes are not permitted.
9. From June 15<sup>th</sup> through August 30<sup>th</sup> capri pants are permitted in navy blue or black. Spandex clothing is not permitted.
10. Proper undergarments are to be worn at all times.
11. Hairnets and gloves are required at all times in food prep areas.

## **Appendix B**

### **Residents Rights RSA 151.21**

The residents Bill of Rights serves as a reminder and means of enforcing the principles that every person living at Sullivan County Nursing Home is entitled to receive the highest possible quality of care. That no one is to be deprived of the right to make individual decisions concerning their own body and life and that at all times every resident is to be treated with complete respect and dignity. ("You" refers to the Residents of Sullivan County Nursing Home)

1. You have the right to be treated with dignity and respect.
2. You have the right to be informed, verbally and in writing, of your rights and of the rules and policies of the facility.
3. You have the right to be told about services and charges.
4. You have the right to know about your medical condition, you have the right to participate in planning your care and medical treatment and you have the right to refuse treatment.
5. You have the right not to be transferred or discharged except for medical reasons, your own welfare or that of other residents, non-payment or if the facility ceases to operate. The facility must provide 30 days notice and provide the reason for transfer, date of proposed transfer and statement explaining your rights to appeal the decision to transfer or discharge you.
6. You have the right to exercise your rights as a resident and citizen. You have the right to voice grievances without fear of reprisal.
7. You have the right to manage your own personal finances.
8. You have the right to be free from emotional, physical and sexual abuse, exploitation, neglect, corporal punishment and involuntary seclusion.
9. You have the right to be free from chemical and physical restraints.
10. You have the right to have your personal and medical records treated as confidential.
11. You have the right not to perform services for the facility.
12. You have the right to receive visitors of your choice.
13. You have the right to receive unopened personal mail.
14. You have the right to have regular access and unmonitored use of the telephone.
15. You have the right to participate in social, religious and community activities of your choice.
16. You have the right to retain and use your own personal clothing and possessions as space permits.
17. You have the right to privacy for visits.
18. You have the right to receive services with reasonable accommodations of your individual needs and preference.
19. You have the right to be free from discrimination
20. You have the right to receive treatment by the physician of your choice.



21. You have the right to receive visitors without restrictions if you are terminally ill.
22. You have the right to receive representatives of approved organizations.
23. The resident shall not be denied admission to a facility based on Medicaid as a source of payment when there is an available space in the facility.

**Related Laws**

**RSA 151.22**

**Patient's Personal Representative:**

The patient's personal representative may assist the patient in the exercise of any rights under the subdivision.

**RSA 151.23**

**Retaliation Prohibited**

An owner, administrator, employee, or representative of a facility shall not discharge or harass, or retaliate or discriminate against a patient because the patient has exercised a right protected under this subdivision.

**RSA 151.20.II**

**Facility Policy and Procedures**

A facility shall establish written procedures to implement its policy to guarantee the patients' rights and shall include procedures for investigation and resolution of complaints made by or on behalf of patients, families of patients or staff. (See NH RSA Chapters 143 – 152 for complete wording)

**RSA 161-F13**

**Powers and Duties**

The Office of Ombudsman shall act on complaint, investigate any act, practice, policy or procedure of any facility or government agency that may adversely affect the health, safety, welfare or civil or human rights of long-term care residents. (See RSA 161-F13 in the NH RSA Chapters 153-168 for complete wording)

## **Appendix C**

### **Department of Corrections General Rules**

Standards of conduct and general rules contained in this addendum are designed to improve the effectiveness and consistency in the operation of the Department of Corrections. These rules are not all-inclusive and are to be used in addition to DOC departmental policies.

1. Every employee is to be familiar with the contents of this addendum and any revisions or modifications may be issued from time to time. Employees are reminded that the standards and rules cannot address every possible situation and employees are expected to use common sense, good judgment and discretion in all situations.
2. All members of the department are responsible for manual maintenance and knowledge of its contents. Each member is required to make appropriate changes or inserts as issued by the superintendent. This handbook is considered departmental property.
3. The Department of Corrections is a non-smoking facility.

#### **A. Professional Responsibilities**

1. All members of the DOC staff are expected to maintain the highest possible degree of professional and personal integrity in the performance of their duties. Employees must also keep in mind that any indiscretions not only reflect poorly on themselves but also on fellow employees and Sullivan County.
2. Employees must maintain safety and security at all times within the DOC facility.
3. Employees must insure that all inmates are treated equally.
4. Employees must insure that the inmates' constitutional rights are not violated.
5. Employees must insure that inmates have equal access to all programs and services provided by Sullivan County Department of Corrections.
6. Employees must maintain a professional demeanor to all other staff, inmates and all supporting agencies.
7. Employees must perform all lawful duties as directed by policy and procedures and/or by the Superintendent.

#### **B. Required Conduct**

1. Hygiene - the employee is expected to bathe or wash daily. It is expected that employees will practice appropriate dental hygiene as well. Individuals are expected to be in compliance with this policy and be free from offensive odor or unsightly practices.
2. Grooming - hair must be clean and not greasy. Men must be free from facial hair; however, mustaches are authorized if they are neatly

trimmed. Hair length for men must not exceed the top of the ear, over the collar or below the eyebrows. There is no standard length for women's hair; however it is recommended that exceptionally long hair be worn up so that it cannot be grabbed. Discretion is authorized in this area. Hair cannot be dyed any color that is considered an unnatural color.

3. Clothing - every employee is required to keep his/her uniform/clothes in good repair, clean and free from offensive odor or unsightly stains. Issued items in need of repair must be brought to the attention of the Director of Operations. Black footwear is required with rubber sole. Athletic shoes, high heels or western style boots are unauthorized for wear by Correctional Officers. Correctional Officers are to ensure that their uniforms fit properly and are not too tight or overly loose. Employees must clean uniforms prior to return.
4. Women may wear earrings that are close to the ear and do not present an item to be grabbed by other persons. Excessive ear piercing is discouraged. Earring display by men is discouraged. Unauthorized display of body jewelry anywhere, other than described above that may be seen by the inmate population is prohibited.
5. Body tattoos - must not depict nudity or offensive verbiage and should not be excessive. It is forbidden to have any tattoos, which promote any kind of racist ideology.
6. Fingernails - must not be any longer than ¼ inch from the tip of the finger. Correctional Officers are not authorized to wear false fingernails.
7. Every member of the department must be polite and courteous to all other members of the department and the public, including other law enforcement agencies.
8. All members of the department shall be in good physical condition and be able to successfully complete a fitness test. (See Appendix D)
9. All members of the department shall truthfully state all facts in reports and appearances before judicial, departmental or other official investigations, hearing, trial or other proceedings.
10. All members shall report promptly to regular scheduled assignments or whenever ordered to do so by the proper authority.
11. All members are required to read the daily log to remain current of all new orders, regulations, memorandums or other pertinent information.
12. Members of the department shall address all other members of the department by rank and name or rank only when in the presence of inmates or the civilian population while in the institution.
13. All incident reports shall be submitted to his/her supervisor accurately and as completely as possible during the shift when the incident occurred.
14. Every member of the department shall have an operating telephone in their residence and a current number must be on file with appropriate

authority of the Department of Corrections. No unauthorized personal telephone use is permitted.

15. In the event any employee becomes ill and is unable to fulfill their obligations to the department, they are required to contact the facilities governing authority 2 hours prior to the beginning of their shift. Any absence of more than three (3) days in duration may require a doctor's certification of care at the discretion of the governing authority.
16. Any injury or other disability occurring in the line of duty shall be reported to the appropriate authority within 24 hours of the initial incident. This report shall be in appropriate form and will be investigated by the Superintendent. No employee shall be permitted to return to full duty until they have been certified as physically and or psychologically fit.
17. Every member must successfully complete a 1-year probationary period, during such period any indiscretion may be subject to discharge.
18. All employees of the department must hold a valid Operators drivers license and have reliable transportation.

**C. Conduct Prohibited**

1. Commission of a felony or misdemeanor.
2. Any negligent act that jeopardize the security of inmates or staff.
3. Any conduct that reflects negatively on the department or other staff members.
4. Being absent from post without authority.
5. Failure to report infractions or inappropriate behavior by others.
6. Deliberate refusal to obey a lawful order issued by a superior officer.
7. Use of excessive or unnecessary physical force in the performance of duty.
8. Seeking or accepting any advantage or personal gain for treatment provided any inmate.
9. Voluntary associations with persons engaged in unlawful activities.
10. Conducting personal business on duty.
11. Recommending or suggesting, in any manner, the use of any professional or commercial service that may benefit the employee or the service.
12. Use of departmental letterhead for personal correspondence without express permission of the Superintendent.
13. Duplicating facility keys.
14. Violating policies and procedures or deliberate misinterpretation of the same with the intent of circumventing or sabotaging such policy.
15. Altering, defacing or removing posted notices.
16. Initiating or supporting any unsubstantiated information concerning internal or external circumstances or associations.

17. Purchasing, using and possession of alcohol or drugs, while in uniform, is prohibited.
18. Falsely reporting or otherwise deceiving the department concerning personal health condition.
19. Using telephones for personal use.

**D. Conflict of Interest**

1. Member shall not join or maintain any affiliations with organizations that may interfere with the performance of duties.
2. No member shall accept employment that may impair independence of judgment in the exercise of official duties. No member shall accept employment with other law enforcement agencies without the approval of the Superintendent and the Board of Commissioners.
3. No member shall participate in any political activities while in uniform.
4. No member shall solicit or accept any gift, gratuity, loan, reward or fee that may have any direct or indirect connection with departmental membership or activities, including those from inmates or inmates' family or friends.
5. No member shall use their official position or departmental identification to gain privileges not otherwise available to them except in the performance of duties. This is to include avoidance of consequences of illegal acts.

**E. Department Property**

1. All equipment issued by the department shall remain the property of the department and be maintained in good condition. Any lost or damaged materials shall be reported to the Superintendent or supervisor immediately. Upon separation of employment all materials shall be returned to the department or reimbursement made for the cost of such items.
2. Only equipment issued or approved by the Superintendent shall be carried while on duty.
3. All interior and exterior surfaces of the facility shall not be marred, marked or in any way defaced by inmates or employees. No materials shall be attached to any surface without the express permission of the Superintendent.
4. Any defective equipment or hazardous conditions shall be reported to the supervisor immediately.
5. When operating County vehicles, employees and passengers must wear seat belts.

**F. Dissemination of Information**

1. No information shall be distributed to any unauthorized personnel.

2. Records of inmates, special orders, memos or any other documents shall not be copied or removed except in accordance with established policy or approval from the Superintendent.
3. Identities of all inmates are confidential information.
4. Internal business, internal investigations or any disciplinary action is to remain within the department. Members of the department are prohibited from providing information or opinion to the press or any similar organization without express permission from the Superintendent.

## Appendix D

### Department of Corrections Physical Fitness Test

## **Sullivan County Physical Fitness Test Entry-Level Standards**

#### **300 M Run    Males    Females**

Age	Entry	Entry
18-29	60	74.5
30-39	61	80.5
40-49	74.8	101.8
50-59	85	N/A

#### **Push-Up    Males    Females (in 60 seconds)**

Age	Entry	Entry
18-29	27	22
30-39	21	17
40-49	16	11
50-59	11	10
60 +	9	4

#### **Vertical leap    Males    Females**

Age	Entry	Entry
18-29	19"	13.9"
30-39	18.5"	12"
40-49	15"	9"
50-59	13.5"	N/A

#### **Bench Press    Males    Females**

Age	Entry	Entry
18-29	.96	.58
30-39	.86	.52
40-49	.78	.48
50-59	.70	.43
60 +	.65	.41

#### **Flexibility    Males    Females**

Age	Entry	Entry
18-29	16.0"	19.0"
30-39	15.0"	17.8"
40-49	14.0"	17.0"
50-59	12.5"	16.0"
60 +	12.0"	15.2"

#### **1.5 Mile Run    Males    Females**

Age	Entry	Entry
18-29	13:06	15:49
30-39	13:53	16:23
40-49	14:47	16:59
50-59	15:53	18:09
60+	16:58	18:54

#### **Sit-Up    Males    Females (in 60 seconds)**

Age	Entry	Entry
18-29	37	31
30-39	33	24
40-49	28	19
50-59	22	12
60+	18	5

**NOTE: Candidates must pass four of the seven events in the physical fitness test.**

# EXHIBIT I

EMPLOYEE CATEGORIES	Department	Years of Service	Accrual Rate Per Hour	Annual Accrual
Non Bargaining Department Heads	F	0 to 4	.0885	184 hrs (23 days)
		4 to 10	.1077	224 hrs (28 days)
		10 and over	.12692	264 hrs (33 days)
Non Bargaining Supervisors	G	0 to 4	.07885	164 hrs (20.5 days)
		4 to 10	.0981	204 hrs (25.5 days)
		10 and over	.1173	244 hrs (30.5 days)
Non Bargaining Employees	H	0 to 4	.06923	144 hrs (18 days)
		4 to 10	.0885	184 hrs (23 days)
		10 and over	.1077	224 hrs (28 days)
Bargaining Department Employees	E	0 to 4	.06923	144 hrs (18 days)
		4 to 10	.08846	184 hrs (23 days)
		10 and over	.10769	224 hrs (28 days)
Bargaining Department Employees	A	0 to 4	.06154	128 hrs (16 days)
		4 to 10	.08077	168 hrs (21 days)
		10 and over	.10000	208 hrs (26 days)

EMPLOYEE CATEGORIES	Department	Years of Service	Accrual Rate Per Hour	Annual Accrual
Department Heads	I	0 to 4	.0808	168 hrs (21 days)
		4 to 10	.1000	208 hrs (26 days)
		10 and over	.11923	248 hrs (31 days)
Supervisors	J	0 to 4	.0712	148 hrs (18.5 days)
		4 to 10	.0904	188 hrs (23.5 days)
		10 and over	.10962	228 hrs (28.5 days)
Employees	D	0 to 4	.06154	128 hrs (16 days)
		4 to 10	.808	168 hrs (21 days)
		10 and over	.1000	208 hrs (26 days)

Accrual rates reflect that Unity accrues for 10 holidays/2 personal, and Newport for 12 Holidays



Job Title	Grade	Step	Rate	Hours
Supervisor of Police	Z	0 TO 4	.1269	264 hrs (33 days)
		4 to 10	.1462	304 hrs (38 days)
		10 and over	.1654	344 hrs (43 days)
Supervisor of Police	C	0 to 4	.0808	168 hrs (21 days)
		4 to 10	.1000	208 hrs (26 days)
		10 and over	.1192	248 hrs (26 days)
Supervisor of Police	Y	0 to 4	.1173	244 hrs (30.5 days)
		4 to 10	.1365	284 hrs (35.5 days)
		10 and over	.1558	324 hrs (40.5 days)
Supervisor of Police	B	0 to 4	.0712	148 hrs (18.5 days)
		4 to 10	.0904	188 hrs (23.5 days)
		10 and over	.1096	228 hrs (28.5 days)
Supervisor of Police	X	0 to 4	.1077	224 hrs (28 days)
		4 to 10	.1269	264 hrs (33 days)
		10 and over	.1462	304 hrs (38 days)
Supervisor of Police	A	0 to 4	.0615	128 hrs (16 days)
		4 to 10	.08077	168 hrs (21 days)
		10 and over	.10000	208 hrs (26 days)

**Effective Date**

This policy shall become effective upon the date of the signatures of the Sullivan County Board of Commissioners.

Oct. 3, 2006  
Date

Donald S. Clarke

Donald S. Clarke - Chair  
Commissioner

Bennie C. Nelson

Bennie C. Nelson -- Vice Chair  
Commissioner

Ethel Jarvis

Ethel Jarvis- Clerk  
Commissioner